Appl. No. 10/071,537
Response dated December 17, 2007
Reply to Advisory Action of September 14, 2007

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Claim 1(currently amended): A system for delivering shopping incentives individually customized to influence each customer by using products currently being considered by the customer and the customer's past shopping behavior metrics to encourage the purchase of ~~for~~ products having machine readable codes where said incentives are generated by a plurality of independently competing manufacturer controlled dynamic incentive offer engines each receiving data about the product being considered and the consumer's past shopping behavior metrics to enable the targeted customization of each incentive said engine will generate ~~that further customize each incentive~~ to meet the manufacturer's objectives, and where the incentives are presented to the customer at the time a purchase decision is being made, said system comprising:

    a. a wireless device having a scanning means usable by the shopper to read the machine readable codes;

    b. a processing application having stored data relating to determining a customer behavior customized shopping incentive for the shopper wherein said stored data is comprised of demographic information and past shopping behavior metrics for each product class as derived from past incentives redeemed, past incentives refused, and a plurality of items first scanned within a product class on each shopping trip;

    c. said wireless device having a first communication means for communicating the machine readable code and shopper information to said processing application;

    d. a plurality of independently competing manufacturer controlled dynamic incentive offer engines each having manufacturer controlled logic of a computer

implemented process that creates a customized incentive determined by combining the customer ~~behavior~~ data received from said processing application with the manufacturer's internal concerns being at least ~~one of~~ marketing budget and, internal market share objectives, ~~reduction of overstock inventory, and liquidation of goods approaching expiration~~;

e. said processing application having a second communication means for communicating said data relating to determining a customer behavior customized shopping incentive to the plurality of incentive offer engines;

f. each of the plurality of incentive offer engines having a third communication means for communicating the incentives to said processing application;

g. said processing application having a fourth communication means for communicating the incentives to said wireless device;

h. said wireless device having a user interface usable by the shopper to select the incentives to be redeemed;

i. said wireless device having a fifth communication means for communicating said incentives to be redeemed to a point of sale system; and

j. said wireless device having a sixth communication means for communicating said incentives to be redeemed to said processing application.

Claim 2 (original): The system according to claim 1, wherein said scanning means comprises a bar code scanner and said machine readable codes are selected from the group consisting of universal product code bar codes, one dimensional bar codes, two dimensional bar codes, reduced space symbology, and composite symbology.

Claim 3 (original): The system according to claim 1, wherein said first communication means, said fourth communication means, and said sixth communication means comprises wireless communication methods as selected from the group consisting of cellular communications and radio frequency communications.

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Claim 4 (cancelled): The system according to claim 1, wherein said stored data relating to determining a customer behavior customized shopping incentive is comprised of a combination of data including at least one of past shopping history of the shopper, a plurality of first products scanned within a product category, a plurality of past products purchased with incentives, and a plurality of past incentives redeemed.

Claim 5 (original): The system according to claim 1, wherein said second communication means, and said third communication means are computer connections selected from the group consisting of local area network, wide area network, the internet, online network, direct modem, cellular communications and radio frequency communications.

Claim 6 (original): The system according to claim 1, wherein said fifth communication means comprises a display that dynamically renders bar codes and is scannable by the bar code reader of the point of sale system.

Claim 7 (original): The system according to claim 1, wherein said fifth communication means comprises a wireless communication with the point of sale system using short range wireless methods selected from the group consisting of radio frequency and infrared.

Claim 8 (original): The system according to claim 1, wherein said wireless device further comprises global positioning system circuitry.

Claim 9 (currently amended): A method for delivering shopping incentives individually customized to influence each customer by using products currently being considered by the customer and the customer's past shopping behavior metrics to encourage the purchase of products having machine readable codes to a shopper of a product having a machine readable code, where said incentives are generated by a plurality of independently competing manufacturer controlled dynamic incentive offer engines each

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receiving data about the product being considered and the consumer's past shopping
behavior metrics that enable the targeted customization of each incentive said engine will
generate that further customize each incentive to meet the manufacturer's objectives, and
where the incentives are presented to the customer at the time a purchase decision is
being made, said method comprising the steps of:

    a. providing a wireless device having a scanning means usable by the shopper;

    b. reading the machine readable code by the wireless device;

    c. providing a processing application having stored data relating to a consumer
       influence profile for the shopper, said consumer influence profile determining a
       customer behavior customized shopping incentive for the shopper wherein said
       stored data is comprised of demographic information and past shopping behavior
       metrics for each product class as derived from past incentives redeemed, past
       incentives refused, and a plurality of items first scanned within a product class on
       each shopping trip comprising customer behavior data;

    d. communicating the machine readable code and shopper information to said
       processing application from said wireless device;

    e. evaluating said machine readable code and shopper information to determine said
       consumer influence profile by said processing application;

    f. providing a plurality of independently competing manufacturer controlled
       dynamic incentive offer engines each having manufacturer controlled logic of a
       computer implemented process that creates a customized incentive determined by
       combining the customer behavior data received from said processing application
       with the manufacturer's internal concerns including at least one of marketing
       budget and ; internal market share objectives, reduction of overstock inventory,
       and liquidation of goods approaching expiration to determine a dynamically
       customized custom shopping incentive;

    g. communicating said consumer influence profile to said plurality of independently
       competing manufacturer controlled dynamic incentive offer engines from said
       processing application;

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h. determining a dynamically customized shopping incentive for said shopper by each of said independently competing manufacturer controlled dynamic incentive offer engines;

i. communicating said dynamically-customized custom shopping incentives to said processing application from said plurality of independently competing manufacturer controlled dynamic incentive offer engines;

j. communicating said dynamically-customized custom shopping incentives to said wireless device from said processing application;

k. selecting said dynamically-customized custom shopping incentives to be redeemed by the shopper;

l. communicating the selected incentives to be redeemed to a point of sale system from said wireless device; and

m. communicating the selected incentives to be redeemed to said processing application from said wireless device.

Claim 10 (original): The method according to claim 9, wherein said step of communicating the machine readable code and shopper information to said processing application from said wireless device is performed by wireless communication means.

Claim 11 (original): The method according to claim 9, wherein said step of communicating said shopper information including data that comprises a consumer influence profile to said plurality of independently competing manufacturer controlled dynamic incentive offer engines from said processing application is performed by the processing application connected to each of the incentive offer engines via a method selected from the group consisting of local area network, wide area network, the internet, online network, direct modem, cellular communications and radio frequency communications.

Claim 12 (original): The method according to claim 9, wherein said step of communicating said shopping incentives to said processing application from said

plurality of independently competing manufacturer controlled dynamic incentive offer engines is performed by each of the competitive incentive offer engines connected to the processing application via a method selected from the group consisting of local area network, wide area network, the internet, online network, direct modem, cellular communications and radio frequency communications.

Claim 13 (original): The method according to claim 9, wherein said step of communicating said shopping incentive to said wireless device from said processing application is performed by wireless communication means.

Claim 14 (original): The method according to claim 9, wherein said step of communicating said selected incentive to a point of sale system from said wireless device is accomplished by dynamically rendering and displaying bar codes on the wireless device which are then read by the bar code scanner of the point of sale system.

Claim 15 (original): The method according to claim 9, wherein said step of communicating said selected incentive to a point of sale system from said wireless device is accomplished with the point of sale system via wireless communication means.

Claim 16 (original): The method according to claim 9, wherein said step of communicating said selected incentives to be redeemed to said processing application from said wireless device is accomplished with the processing application via wireless communication means.